

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
FILED

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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LAFAYETTE DIVISION

ROBERT H. SHAW, CLERK  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT, LOUISIANA  
PCI INTERNATIONAL, INC.

CIVIL ACTION NO.: CV 02-1487

VS.

SECTION JUDGE HAIK

DUCOCO PRODUTOS ALIMENTICIOS  
S.A. AND NELSON NOGUEIRA PINHEIRO

MAGISTRATE JUDGE METHVIN

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**NOTICE OF CONTINUING ATTEMPTS TO  
SERVE DUCOCO PRODUTOS ALIMENTICIOS S.A.**

NOW INTO THIS HONORABLE COURT, through undersigned counsel, comes PCI International, Inc. who reports to this Honorable Court that it continues to await an Order from the Brazilian Supreme Court that Letters Interrogatory should be issued completing service on Ducoco Produtos Alimenticios S.A. for the following reasons:

1. On or about October 9, 2002, Defendant, Ducoco Produtos Alimenticios S.A.,\ advised through counsel that formal service of process under international treaty would be required.
2. Plaintiff has retained Corporate Language Services to effect service, and despite due diligence, service has still not been effected assuming that the Court should respect as a matter of comity defendant's right to appeal to Brazilian Courts Rulings on service made therein.
3. The Court has pending before it Defendant's Motion to Dismiss based on insufficiency of service of process, and the Court is properly holding in abeyance a hearing or

ruling on the Motion to Dismiss based upon representations previously made to the Court that PCI International, Inc. is acting diligently to serve Ducoco Produtos Alimenticios S.A. pursuant to International rules of comity.

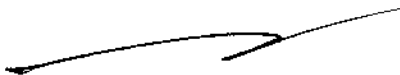
4. On June 3, 2004, Ducoco Produtos Alimenticios S.A. appealed for the third time the rulings of the Brazilian Court(s). Plaintiff's process server reports by translation that the appeal questions the completeness of the Court's previous ruling and again the issue of fairness.

5. Upon information and belief, if Brazil's Supreme Court does not rule on the recent appeal of Ducoco Produtos Alimenticios S.A. on or before December 10, 2004, the Court will not return into session until after March 1, 2005.

6. Plaintiff wishes to keep the Court apprised of these developments.

RESPECTFULLY SUBMITTED:

**DOMENGEAUX, WRIGHT, ROY &  
EDWARDS**



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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been sent to all counsel of record by mailing a copy of same postage prepaid, properly addressed this 29<sup>th</sup> day of Nov, 2004.

Lafayette, Lafayette Parish, Louisiana.



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VICTOR J. VERSAGGI